



FARM LABOR CONTRACTOR CHECKLIST

The Department of Labor and Industries and landowners, business operators, associations, and workers of the special forest products industry have created the following list of questions to assist the industry in complying with Farm Labor Contractor laws. This list is intended to help an industry member determine if he or she is an unlicensed Farm Labor Contractor (FLC).

WHO IS A FARM LABOR CONTRACTOR?

A Farm Labor Contractor is an individual, firm, partnership, association, corporation or government agency that, for a fee, recruits, solicits, employs, supplies, transports, or hires agricultural workers. Agricultural workers are employed for growing, producing or harvesting farm or nursery products, or in the forestation or reforestation of lands or other related activities. "Fee" includes anything that is received in exchange for FLC services.

HOW DOES THIS AFFECT ME?

RCW 19.30.120, 19.30.150, and 19.30.160 state that any person who violates the farm labor contractor laws by making misrepresentations in an application for a license or does work in the capacity of a farm labor contractor without being licensed shall be guilty of a misdemeanor punishable by a fine of \$5000, and/or receive civil penalties of \$1000 for each violation of the statute.

HOW CAN I PROTECT MYSELF?

Industry members can use this checklist and business practice guideline as a tool to assess their scope of responsibility.

Place a checkmark in the box (☐) corresponding to the provided response.

Checklist Item	Business Practice
1. Am I exempt from the Farm Labor Contractor (FLC) laws? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know	RCW 19.30.010(6): You may be exempt if you are a Department of Employment Security employee, a common carrier or their full-time employee, a non-profit corporation, or a regular employee of an agricultural employer and not receiving a commission or fee. Contact L&I at the number listed above for assistance.
2. Am I a Farm Labor Contractor? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know	RCW 19.30.010(3): If you recruit, solicit, employ, supply, transport, or hire agricultural workers, you are a farm labor contractor (FLC).
3. If yes or don't know answer to number 2 above, obtain a farm labor contractor license from your local Labor and Industries service location. <input type="checkbox"/> Completed	RCW 19.30.020: Labor and Industries has several worksheets that will help you determine if you are an FLC, and will provide the documents necessary to get insurance, master business license, tax compliance certificates, and surety bond. The license costs \$35 or \$100, depending on activity being performed.
4. If yes to number 2 above, ensure each employee has signed an employment agreement form. <input type="checkbox"/> Completed	RCW 19.30.110(7): It is mandatory that FLC's give a signed form to each worker that explains the terms and conditions of employment and the worker's rights under the law. The L&I office has these documents in English and Spanish.
5. If yes to number 2 above and if transporting employees, obtain vehicle insurance. <input type="checkbox"/> Completed	WAC 296-310-040: The law requires minimum coverage for public liability and property damage. Some landowners may require a higher level of insurance, so check with the landowner you are working with first before purchasing insurance.
6. If yes to number 2 above, keep payroll records for all employees you hire. <input type="checkbox"/> Completed	RCW 19.30.110: The worker must be provided a written statement itemizing the total payment including descriptions of deductions, hours worked, and rate of pay with every paycheck. Wages must meet the state minimum wage. Records must be maintained for 3 years.
7. If yes to number 2 above, report the employee hours, pay premiums for worker's compensation coverage, and pay taxes on a quarterly basis. <input type="checkbox"/> Completed	All employers that have employees are required to report employee hours quarterly, pay industrial insurance premiums on employees quarterly, and report earnings for the business on a quarterly basis. Your local L&I office can provide information and documents on these issues.

See Chapter 19.30 RCW, Farm Labor Contractors, Chapter 296-310 WAC, Farm Labor Contracting Rules, and Chapter 76.48 RCW, Specialized Forest Products for full requirements. For further information, contact the Department at the address or phone number listed at the top of this page.